

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

UNITED STATES OF AMERICA,	:	
	:	
v.	:	
	:	Case No.: 7:21-CR-52 (WLS-TQL-1)
	:	
ROGER BERNARD PALMORE, JR.,	:	
	:	
Defendant.	:	
_____	:	

ORDER

A pretrial conference for the above-captioned matter was held on Friday, December 30, 2022, at 2:00 PM in the Albany Courthouse. Defendant Palmore, Defense Counsel,¹ and Counsel for the Government were present at the conference.

The Government explained that it submitted a Motion to Schedule a Trial (Doc. 34) in accordance with the Speedy Trial Act on December 14, 2022, because it realized that the Speedy Trial clock for this case was going to expire soon. Then, on December 16, 2022, the Government submitted a Motion to Correct (Doc. 39) after the appellate division notified the Government that its calculation of the days remaining in this matter was incorrect and the clock was going to expire sooner than the Government had initially anticipated.

The Government further explained to the Court that a plea offer is currently available to Defendant Palmore; however, Defense Counsel, Michael N. Simpkins, has not had a chance to discuss the plea agreement with him. The Government also noted that it was its

¹ Timothy R. Saviello, of the Federal Defenders Office, Middle District of Georgia, Inc., appeared for Michael N. Simpkins, counsel of record for Defendant.

understanding that Defense Counsel will confer with Defendant Palmore early next week to discuss the plea agreement or other options.

The Court instructed the Parties to notify the Court by Thursday, January 5, 2023, about whether Defendant will file a motion to dismiss the indictment or accept the plea offer. Moreover, if Defense Counsel plans to file a motion to dismiss, the Court noticed the Parties that the following three questions must be answered: (1) has the Speedy Trial Act been violated? (2) If the Speedy Trial Act has been violated, should Defendant Palmore's indictment be dismissed? (3) And if the indictment were to be dismissed, should it be with prejudice or without prejudice?

A hearing on this matter has been set for Friday, January 6, 2023, at 2 :00 PM in the Albany Courthouse, if necessary. At the hearing, the Parties will also announce to the Court whether the case will proceed to trial beginning Monday, January 9, 2023.

SO ORDERED, this 30th day of December 2022.

/s/W. Louis Sands
W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT